

MINUTES
PROTECTION & WELFARE COMMITTEE
Monday, September 28, 2015
City Hall, Room 207
5:00 p.m.

MEMBERS PRESENT: Ald. Scannell, Ald. Steuer and Ald. Zima

MEMBERS ABSENT: Ald. Wery and Ald. Tim De Wane

NOTE*: Ald. Zima attended to form the quorum

OTHERS PRESENT: Kristen Bohnert–Asst. City Attorney and other interested parties.

1. Roll Call.

Ald. Scannell, Ald. Steuer, and Ald. Zima were present. Ald. Wery and Ald. Tim De Wane were absent.

2. Approval of the Agenda.

A motion was made by Ald. Zima and seconded by Ald. Steuer to approve the agenda. Motion carried.

3. Approval of the minutes from the September 1, 2015 meeting.

A motion was made by Ald. Zima and seconded by Ald. Steuer to approve the minutes from the September 1, 2015 meeting. Motion carried.

4. Application for a “Class A” Cider License by NCG, Inc. at 2292 Manitowoc Road.

Atty. Bohnert stated she was informed by the Green Bay Police Department (GBPD) that they approve all applicants for the “Class A” Cider License and change of agents tonight. There were no objections by the City Attorney's Office.

A motion was made by Ald. Zima and seconded by Ald. Steuer to approve the application for a “Class A” Cider License by NCG, Inc. at 2292 Manitowoc Road with the approval of the proper authorities. Motion carried.

5. Application for a “Class A” Cider License by Valentine Enterprises, LLC at 612 S. Military Ave.

There were no objections by the GBPD or the City Attorney's Office.

A motion was made by Ald. Zima and seconded by Ald. Steuer to approve the application for a “Class A” Cider License by Valentine Enterprises, LLC at 612 S. Military Ave. with the approval of the proper authorities. Motion carried.

6. Application for a “Class A” Cider License by Van Zeeland Oil Co. Inc. at 601 N. Military Ave.

There were no objections by the GBPD or the City Attorney's Office.

A motion was made by Ald. Steuer and seconded by Ald. Zima to approve the application for a "Class A" Cider License by Van Zeeland Oil Co. Inc. at 601 N. Military Ave. with the approval of the proper authorities. Motion carried.

7. Request by the owner of Brewski's on Broadway, 1100 S. Broadway, to hold an outdoor event November 22, 2015.

Atty. Bohnert stated she would like to question the applicant regarding this request.

Ald. Steuer opened the floor without objection.

Pam (last name unintelligible), 1100 S. Broadway, appeared and stated that this is a tailgate party they have had every year without any issues. The event will start at 6 a.m. and they plan to end it at 5 p.m. Security will be in place. Alcohol will not be served outside; however patrons can take their drinks outside.

A motion was made by Ald. Steuer and seconded by Ald. Zima to approve the request by the owner of Brewski's on Broadway, 1100 S. Broadway, to hold an outdoor event November 22, 2015. The approval of the request is subject to complaint. Motion carried.

8. Notice of the change of agent for Confetti's, Inc. at 217 E. Walnut Street.

There were no objections by the GBPD or the City Attorney's Office.

A motion was made by Ald. Zima and seconded by Ald. Steuer to approve the notice of the change of agent for Confetti's, Inc. at 217 E. Walnut Street. Motion carried.

9. Notice of the change of agent for PH Hospitality Group LLC at 1012 S. Taylor Street.

Atty. Bohnert said she received notice today that Stephen Sanders called and stated he was informed by Pizza Hut that they will not need him to be their agent after all, as they rehired their former manager who is already listed as their agent.

A motion was made by Ald. Zima and seconded by Ald. Steuer to receive and place on file the notice of the change of agent for PH Hospitality Group LLC at 1012 S. Taylor Street. Motion carried.

10. Notice of the change of agent for Apple Hospitality Group, LLC at 2420 East Mason Street.

There were no objections by the GBPD or the City Attorney's Office.

A motion was made by Ald. Zima and seconded by Ald. Steuer to approve the notice of the change of agent for Apple Hospitality Group, LLC at 2420 East Mason Street. Motion carried.

11. Request by Ald. Scannell to amend Green Bay Municipal Code 1.90(8) (b) to grant ethics board jurisdiction over code of conduct complaints.

Ald. Zima moved to receive and place on file stating that this is an abomination and illegal.

Ald. Scannell stated this request is to bring the ordinance in compliance with the code so people can't go to the ethics board with complaints, instead they would discuss their complaint with him which makes it user friendly.

Ald. Zima stated he strongly disagrees and this is outside of the outlying laws that already govern us. To think that you can set up a court or process in which to judge an Alderman's behavior outside of council meetings is absurd.

Ald. Scannell reported that this will not be like a court, they will conduct fact finding and only other Aldermen will judge another Alderman's conduct.

Ald. Zima reported that the City Attorney's Office seems to think they can do whatever they want, like removing people from office without Council approval; and although they removed this statement he cannot believe the ethics board would want to do this. Ald. Zima requested a written opinion by the City Attorney's Office explaining how this can be legal.

Ald. Scannell responded the City Attorney's Office already gave a verbal opinion that is on record; therefore a written statement isn't necessary.

Ald. Zima countered that this is not a legitimate court of law in any manner and if council thinks they can start disciplining a member by fining or removing them based on a recommendation from the ethics board is absurd and that's why he objects this request. He reiterated that he wants this in writing for another law firm to give their opinion on its legality. Ald. Zima stated this will create hatred if the Aldermen were given the right to judge each other, and would like this request to be received and placed on file.

A motion was made by Ald. Zima and seconded by Ald. Steuer to receive and place on file the request by Ald. Scannell to amend Green Bay Municipal Code 1.90(8)(b) to grant ethics board jurisdiction over code of conduct complaints. Motion carried with Ald. Scannell voting no.

A motion was made by Ald. Steuer and seconded by Ald. Zima to adjourn the meeting at 5:16 p.m. Motion carried.

For all licensing issues, the Committee may potentially convene in closed session pursuant to §19.85 (1)(b) and/or §19.85 (1)(f) Wisconsin Statutes, for the purpose of considering information with respect to licensing for a person. The applicant has the right to demand that the meeting be held in open session. The applicant may also request that the meeting be held in closed session. The Committee may,

thereafter, reconvene in open session pursuant to §19.85(2) Wisconsin Statutes to report any actions taken during the closed session and to consider all other matters on the agenda.

If there are any questions regarding the agenda, please call Dawn, City Clerk's Office, at 448-3010.

ACCESSIBILITY: Any person wishing to attend who, because of a disability, requires special accommodation should contact the City Safety Manager at 448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.

Please take notice that it is possible that additional members of the Council may attend this committee meeting resulting in a majority or quorum of the Common Council. This may constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.

The audio tape and minutes of this meeting will be available at www.greenbaywi.gov